

Preparing Your Findings Of Fact

It is important to prepare your Findings of Fact properly. If your petition is granted, the Findings of Fact are adopted by the Metropolitan Development Commission or Board of Zoning Appeals as the basis for granting the petition. If the petition grant were judicially reviewed by a court of law, these findings would be the primary evidence in the court's review. Therefore, the following suggestions are offered to assist you in your preparation:

- Read each statement carefully before completing the finding. What you write after the word "because" in each of the findings must support the statement that introduces the finding.
- Be sure that you understand the statements in the Findings of Fact. For example, if you do not know what the comprehensive plan recommendation is, do not try to complete the finding regarding the comprehensive plan until you learn what it is.
- Do not use personal matters as reasons for findings. The findings must relate to the property, not to a person.
- Check your spelling.
- Use correct grammar. When in doubt, please get assistance.
- Do not use pronouns (I, he, she, we or the possessives my, his, her, our) to describe yourself or the petitioner, i.e., the person or entity seeking the variance. Simply repeat the word "petitioner" or "petitioner's".
- You may want to consider obtaining professional assistance if you are uncertain about how to proceed.